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8 Counsel for Defendant
9 MICHAEL HIGGINBOTHAM

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 MICHAEL HIGGINBOTHAM,

17 Defendant.

CR-10-00703 MMC

STIPULATION OF THE PARTIES
FOLLOWING DETENTION HEARING
AND ~~PROPOSED~~ ORDER MODIFYING
CONDITIONS OF SUPERVISED
RELEASE

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19 **STIPULATION OF THE PARTIES FOLLOWING DETENTION HEARING**

20 WHEREAS, a detention hearing was held on October 20, 2015, before Magistrate Judge
21 Elizabeth D. Laporte of the Northern District of California based on a pending Petition for
22 Revocation of supervised release (the "Petition") filed against defendant Michael Higginbotham
23 ("Mr. Higginbotham");

24 WHEREAS, pursuant to 18 U.S.C. § 3143(a), and Fed. R. Crim. P. 32.1(a)(6), Magistrate
25 Judge Laporte found that Mr. Higginbotham carried his burden of establishing by clear and
26 convincing evidence that he will not flee or pose a danger to any other person or to the community, if
27 his conditions for supervised release were modified pending resolution of the Petition;
28

WHEREAS, Magistrate Judge Laporte recommended that Mr. Higginbotham (1) be released to a halfway house in Oakland, California as soon as space is available to house him, and be allowed to leave the halfway house for work, (2) be placed on electronic monitoring to include GPS, as directed by the U.S. Probation Office, and (3) not travel into the City and County of San Francisco, pending resolution of the Petition; and

WHEREAS, the parties have informed Mr. Higginbotham's U.S. Probation Officer of this proposed modification of supervised release, and he does not object.

THEREFORE, THE PARTIES HEREBY STIPULATE that the conditions of Mr. Higginbotham's supervised release should be modified to provide that:

1. Mr. Higginbotham shall be released to a halfway house in Oakland, California as soon as space becomes available, and he shall be allowed to leave the halfway house for work, and he shall remain in the halfway house for up to 120 days, as directed by the U.S. Probation Office.

2. Mr. Higginbotham shall be placed on electronic monitoring to include GPS, as directed by the U.S. Probation Office.

3. Mr. Higginbotham shall not travel into the City and County of San Francisco, pending resolution of the Petition.

Dated: October 21, 2015

Respectively Submitted:

BORO LAW FIRM

/s/ Albert J. Boro, Jr.
ALBERT J. BORO, JR.

Attorney for Defendant
MICHAEL HIGGINBOTHAM

ANDRE BIROTTE JR.
United States Attorney

/s/ Justin R. Rhoades*
JUSTIN R. RHOADES
Assistant United States Attorney

*Signed with permission.

~~PROPOSED~~ ORDER

FOR GOOD CAUSE SHOWN, the Court hereby modifies the terms of supervised release of defendant Michael Higginbotham as follows:

1. Mr. Higginbotham shall be released to a halfway house in Oakland, California as soon as space becomes available, and he shall be allowed to leave the halfway house for work, and he shall remain in the halfway house for up to 120 days, as directed by the U.S. Probation Office.

2. Mr. Higginbotham shall be placed on electronic monitoring to include GPS, as directed by the U.S. Probation Office.

3. Mr. Higginbotham shall not travel into the City and County of San Francisco, pending resolution of the Petition for Revocation of his supervised release.

IT IS SO ORDERED.

DATED: October 21, 2015


HONORABLE MAXINE M. CHESNEY
United States District Judge